

IN THE SUPREME COURT OF FLORIDA

IN RE:

**AMENDMENTS TO FLORIDA RULES OF CRIMINAL
PROCEDURE 3.851, 3.852, AND 3.993**

CASE NO. SC96646

**COMMENTS OF THE
RULES OF JUDICIAL ADMINISTRATION COMMITTEE
OF THE FLORIDA BAR**

Scott J. Silverman, Chair of the Rules of Judicial Administration Committee, and John F. Harkness, Jr., Executive Director, The Florida Bar, file these comments in the above styled case.

The Rules of Judicial Administration Committee was invited to comment on the proposed changes to the Florida Rules of Criminal Procedure, specifically to respond to the substance and proper placement of a proposed amendment concerning real-time transcription in capital cases. Having considered the matter, the consensus of the Committee is that because the proposed amendment concerning real-time transcription is tailored, in the form presented, solely to limited circumstances in criminal cases, the proposed rule should be placed in the Florida Rules of Criminal Procedure, not in the Rules of Judicial Administration.

Further, the Committee could consider requiring real-time reporting capabilities as an issue of general application, but that matter will require some study and consideration, and the Committee does not view such study as within the purview of the Court's request in these proceedings.

SCOTT J. SILVERMAN
Florida Bar No. 015700
Chair, Rules of Judicial
Administration Committee
1351 NW 12 Street, Suite 513
Miami, FL 33125-1629
(305) 548-5613

JOHN F. HARKNESS, JR.
Florida Bar No. 123390
Executive Director, The Florida Bar
650 Apalachee Parkway
Tallahassee, FL 32399-2300
(850) 561-5600

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been provided by mail to the following by U.S. mail on May 30, 2000.

Stan R. Morris
Honorable Philip J. Padovano
Honorable O. H. Eaton, Jr.
Jerome C. Latimer
Robert A. Butterworth
Richard B. Martell
Carolyn M. Snurkowski
Neal A. Dupree
Todd G. Scher
Gregory C. Smith
Andrew Thomas
Timothy P. Schardl
Mark E. Olive
Bennett H. Brummer
Christina A. Spaulding
Nancy A. Daniels
W. C. McLain
Michael J. Minerva
Chet Kaufman
Richard Jorandby
Gary Caldwell
Stephen Krosschell
Honorable Tom Feeney
Honorable Johnnie B. Byrd, Jr.
Honorable John Dudley Goodlette

SCOTT J. SILVERMAN